REMARKS/ARGUMENT

Claims 1-5 and 7-22 remain under consideration. Claim 6 has been canceled and essentially incorporated into independent claims 1, 18 and 19. As amended, all claims are directed to Applicant's preferred embodiment wherein the polymeric binder is formed by a three dimensional cross-linkable polymer that is cross-linked using a cross-linking agent.

Claims 1-5 and 7-22 stand rejected under 35U.S.C.103(a) as unpatentable over Applicant's USP 6,200,668 (" '668") in view of Applicant's US 2002/0081420 A1 (" '420") taken with Verbugh et al. USP 5,437,963 (" '963"). Reconsideration and allowance of Applicant's claims in light of the remarks which follow are respectfully requested.

The rejection of claims 1-5 and 7-22 under 35U.S.C.103(a) is based on asserted equivalence of the '668 second layer to the release layer of the present claims. As stated, the claims are now directed to Applicant's preferred embodiment wherein the release layer comprises a particulate material plus a 3-dimensional cross-linked polymer that is cross-linked using a cross-linking agent with the binder. The '668 patent, of course known to Applicant, does not discuss or suggest such cross-linking with the binder. The Examiner's reliance on the '420 reference, also known to Applicant, of course, is believed misplaced for at least a couple reasons. First, the '420 release coat is designed for a different application and is removed before image transfer and at room temperature (paragraph [0055]). In contrast the release coat of the present invention provides facilitated peel after heating and transfer of the image as the structure of independent claims 1 and 18 specify and the steps of independent claim 19 require. It is respectfully submitted that one of skill considering the '668 application would not look to

cross-linked '420 release coatings. Addressing the Examiner's "optimization" position, since the '420 release coatings have a different application, there is no *prima facie* basis for arguing that '420 "optimization" suggests the ranges of Applicant's claims. Second, the rejection states in Paragraph 5 that '420 teaches a release layer comprising a binder, a cross-linking agent and a Syl-Off 7367 polysiloxane compound, citing col. 4, li. 52 of '963. As shown in '963 in the Table starting at li. 41 of that column, Syl-Off 7367 is a cross-linking agent and not a binder. See also the '420 reference at paragraph [0031]. Therefore, the '963 reference as applied does not support the Examiner's position and adds little, if any, additional disclosure. Further, Applicant submits that one of skill in the heat transfer art would not consider the '963 reference relevant since it is directed to printing plates and the like. The advantage of the present invention is clearly taught on page 22 of the specification where Sample B has a peel test of only 10 grams, indicating a propensity for peeling or flaking. Sample A as shown in the Table on page 24 did not have the desirable peel after transfer. Only Sample C in accord with the amended independent claims shows both absence of a propensity to peel or flake and desirable peel after transfer. Therefore, claims 1-5 and 7-22 are believed to be patentable, in the sense of 35U.S.C.103(a).

For the reasons stated above, it is respectfully submitted that claims1-5 and 7-22 are in form for allowance. Such favorable action is respectfully solicited.

Please charge any prosecutional fees that are due to Neenah Paper, Inc. deposit account number 50-3500.

Should the Examiner have any remaining questions, a telephone conference is invited to the undersigned at the number 678-518-3320.

Respectfully submitted,

FRANCIS J. KRONZER

By: _____

William D. Herrick
Registration No. 25468
Attorney for Applicant